

THE BOSTANY LAW FIRM

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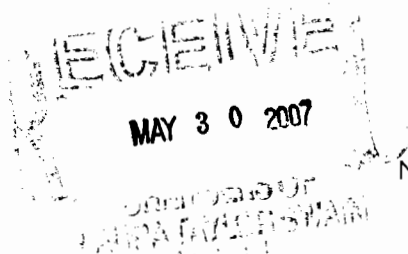
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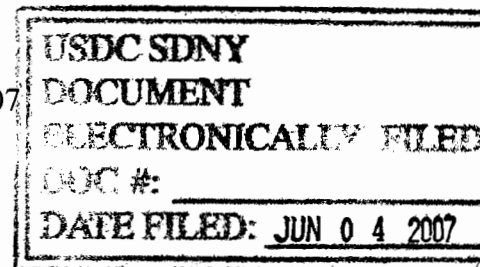
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May 30, 2007



Hon. Laura Taylor Swain
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *GMA v. BOP, LLC, et. al*
Docket No.: 07 CV 3219 (LTS)

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel and unrepresented parties and filing a certificate of such service within 5 days from the date hereof. Do not fax such certification to Chambers.

Your Honor:

I respectfully request your Honor's assistance involving defendant Belmondo in the above matter. This defendant was served with the summons and complaint on April 24, 2007 and an amended complaint on May 8, 2007. The time within which this defendant should have answered or otherwise moved with respect to the Complaint and/or Amended Complaint in this action has expired and no extension of time to answer has been granted or requested.

I respectfully ask for permission to submit a proposed default judgment to your Honor as to liability and for the injunctive relief sought in the pleadings.

We are aware that it is typically difficult to compute the monetary damages in cases of this nature. See e.g. *GMA Accessories, Inc. v. Megatoys, Inc.*, 2003 WL 193507 (S.D.N.Y. 2003). As such, we respectfully ask that our submissions as to damages be deferred to a future date upon later application.

In light of Belmondo's May 30, 2007 filing of an answer, the foregoing request for permission to move for a default judgment against Belmondo is denied without prejudice. The parties' attention is

Respectfully,

Andrew T. Sweeney

cc: Belmondo. Directed to item 2B of the undersigned's Individual Practices Rules.
SO ORDERED.

LAURA TAYLOR SWAIN U.S.D.J.